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Before the
FEDERAL COMMUNICATIONS COMMISSION
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Closed Captioning and Video Description)
of Video Programming)

MM Docket No. 95-176

Comments of Laurence Anne Coe

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These comments are filed on behalf of Laurence Anne Coe in response to the Federal Communications Commission's request for comments in the "Notice of Inquiry", FCC 95-484. Ms. Coe is an activist with respect to problems of the visually impaired. She has worked for several years as a volunteer reader at a radio reading service in Atlanta and is personally aware of the pressing need for expansion of media opportunities for the blind.

While closed captioning of video programming is a valuable service to those with hearing impairments, these comments are limited to those issues dealing with video description for the visually disabled.

I. INTRODUCTION

It is a truism that we live in the age of television, an era when television dominates, determines and dictates our access to information and entertainment on a daily basis. Television is a defining - some would say the defining - force in American culture today. Yet the blind and the visually impaired are effectively cut off from the vast flow of visual media stimulation which reaches the rest of the American public. As studies of the Nixon-Kennedy

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debates proved, there is a significant qualitative difference in a persons's perception and comprehension of an event or a program when the visual content is excluded. Without attempting to quantify this difference, it is clear that the visually impaired are being denied a very significant portion of the benefits of television.

Video description is already employed very successfully in the context of live theater in Atlanta. Low power radio receivers are issued to the visually impaired at regularly scheduled performances of plays. The plays are video described "live" through individuals' headphones with no effect on the enjoyment of fully sighted individuals. This simple technical experiment has opened up an entire cultural dimension to the blind and visually impaired in Atlanta. The benefits of expanding video description to television would be exponentially greater.

II. PUBLIC INTEREST BENEFITS

a. To the visually disabled

Using the Census Bureau's conservative figure, more than 8 million Americans suffer from visual impairments. This is a significant population to which the FCC has the ability to provide information, entertainment and independence.

The visually disabled suffer from an information deficit. They "see" only what is described. Unfortunately, our daily settings do not come equipped with a description. The visually impaired thus suffer from a general lack of awareness of others'

facial expressions and body language and have a small information base from which to compare environmental settings. Adequate video descriptions of programming will provide information otherwise unattainable to those without sight.

Furthermore, low vision children will reap an additional benefit in the classroom. Much teaching today is done with the use of educational videos, a source of knowledge generally thought unavailable to the visually impaired. These low vision children do not experience the same education as their sighted peers. Video description will help ensure that all children have the same educational advantages.

The advantage of video description in entertainment is perhaps the most obvious. It is difficult to imagine an action adventure movie without the action. Body movement and facial expression often tell more of what a character is saying than a spoken word. Video description is essential for the low vision person to really enjoy and understand a program, whether it be an action adventure movie or a prime time sit-com.

Independent living and self-sufficiency are things healthy adults take for granted, but without video description the visually impaired must always rely on others. A sighted person must be present when the television is on, verbally interpreting the visual elements. The visually impaired person is not only at the mercy of the sighted viewer's ability to adequately describe what is happening, but may feel himself a burden, interfering with the enjoyment of the other. The result, unhappily, may be that the visually impaired will withdraw into isolation rather than becoming

integrated into family viewing activities.

b. To the sighted

Video description will benefit those not officially considered visually disabled. As noted above, the notion of "visually disability" is an amorphous one. There are many Americans, such as Ms. Coe herself, who are neither legally blind nor "visually impaired" because their vision problems are largely correctable by eyeglasses or contact lenses. But for many older Americans with failing sight, the availability of video description would permit them to view programming that is only imperfectly accessible through the use of optical aids.

Video description will also be a convenience to those with no vision problems. Similar to the way in which closed captioning allows a hearing person to watch television when it is too noisy to hear, video description will enable a sighted person to "watch" television when he or she cannot see it. A person will be able to work on a hobby or cook dinner and still fully enjoy and understand a favorite program.

Moreover, many radios now come equipped with the capability to be tuned to the audio channels of television stations. With certain technical modifications, it will be possible to make the video described version of a TV program available on radio. This would not only benefit drivers who would otherwise miss a favorite program, but would also create an entirely new market for TV stations.

Educational advantages to the sighted also exist. Video

description may be used to increase vocabulary and improve sentence structure, especially among children. The viewer will see what is being described and instantly have a working knowledge of a new word or phrase. Writing skills may improve as the viewer learns new ways to describe and explain situations and scenery.

II. DISCRIMINATION

The Americans with Disabilities Act states as a national goal "to assure equality of opportunity, full participation, independent living, and economic self-sufficiency" for individuals with disabilities. (Section 2(a)(8) of the ADA, 42 U.S.C. §12101(a)(8).) It generally prohibits discrimination against individuals with disabilities in areas such as employment, state and local government services, and in private places of public accommodation.

Despite this significant regulation, the federal government not only discriminates against those with disabilities but affords preferential treatment to some disabilities over others.

The U.S. Bureau of the Census estimates that there are more than 23 million Americans with hearing disabilities and over 8 million Americans with visual disabilities. When closed captioning for the hearing impaired began, the federal government invested nearly 8 million dollars in start-up costs. When video description started, only \$850,000 were allocated.

That means that the government spent \$.35 on every person with hearing difficulties, but only \$.11 per visually impaired person. There are almost three times as many people considered

hearing impaired than visually impaired, but nearly 10 times more money was spent on closed captioning than video description.

Even today, the Department of Education annually allocates more than \$8 million to closed captioning , but only \$1.5 million to video description. Again that is \$.35 for every hearing impaired person, but less than half of that on each visually impaired person.

It is no wonder that video description is not as widely available, nor as well known as closed captioning.

III. MARKET INCENTIVES

The population of this country is aging. As it does, the number of persons with hearing and visual disabilities is increasing, as is the number of persons relying on closed captioning and video description. Advertisers are specifically targeting the buying power of this significant audience.

Currently, there are no described programs available on commercial television. Broadcasters and their advertisers are missing a potential audience of millions.

In enacting the Television Decoder Circuitry Act of 1990, Congress found that " the availability of decoder-equipped television sets will significantly increase the audience that can be served by closed-captioning television, and such increased market will be an incentive to the television medium to provide more captioned programming." (Section 2(9) of the TDCA, Pub. L. 101-431, 104 Stat. 960, 47 U.S.C. §303 note.) Similarly, as broadcasters and advertisers become aware of the availability of

video description and its impact, the market itself will serve as an incentive to produce more described programs.

IV. MANDATORY REQUIREMENTS

The way to promote and ensure the success of video description is through the use of strong incentives. Visual media providers should be required to have and maintain the equipment needed to deliver described programming. This will be a one-time cost to the broadcasters, necessary to ensure the viability of the program.

The providers will then make the decision on which programs to describe. There is the danger that broadcasters will target only a specific audience or only describe those programs that can be done at minimal cost. The FCC can combat this problem by providing incentives to the broadcasters. For example, the amount and quality of video description may be one factor looked at when deciding whether to grant or renew a broadcast license.

V. CONCLUSION

The visual media is something currently not available to the millions of Americans with visual impairments. The technology for video description does exist and the FCC must promote and encourage its use.

McFadden, Evans & Sill
1627 Eye Street, N.W.
Suite 810
Washington, D.C. 20006

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By 
Donald J. Evans
for Laurence Anne Coe